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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,436	07/31/2001	Shrikant Jannu	1541 (4000-02100)	4193
28003	7590	10/06/2004	EXAMINER	
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			BLAIR, DOUGLAS B	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/919,436

**Applicant(s)**

JANNU ET AL.

**Examiner**

Douglas B Blair

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/20/2001.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method of receiving and sending a message to and from the brokering server as claimed in claim 1, the conversion from a native language format to a structured event format as claimed in claim 6, and the conversion from a structured event message format to native language format as claimed in claim 11 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

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Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Request for Information***

4. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

It is requested that all information on “The Object Management Group’s Notification Service Versions 1.0 and 1.1”, as mentioned in the applicant’s specification on page 13, paragraph 26, be provided to the examiner since the applicant’s specification admits to have taken “the description of the fields in a structured event” from this document.

The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 6 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. As to claim 6, the applicant's specification provides no guidance to one of skill in the art trying to implement the invention as claimed in claim 6. Specifically, the applicant's specification provides no details as to how a message is converted from a native language format

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to a structured event message format. The specification discusses the format of a structured event message, mentions a number of native language formats, and states that a message can be converted from a native language format to a structured event message, however merely stating that something can be done does not constitute enablement. Omitting such details as the implementation of the conversion places an undue burden of experimentation on one skilled in the art attempting to implement the applicant's claimed invention to come up with a method for converting from a native language format to a structured event message. Such an omission fails to put the public in possession of the invention.

8. As to claim 11, the applicant's specification provides no guidance to one of skill in the art trying to implement the invention as claimed in claim 11. Specifically, the applicant's specification provides no details as to how a message is converted from a structured event message format to a native language format. The specification discusses the format of a structured event message, mentions a number of native language formats, and states that a message can be converted from a structured event message to a native language format, however merely stating that something can be done does not constitute enablement. Omitting such details as the implementation of the conversion places an undue burden of experimentation on one skilled in the art attempting to implement the applicant's claimed invention to come up with a method for converting from a structured event message to a native language format. Such an omission fails to put the public in possession of the invention.

***Claim Rejections - 35 USC § 102***

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9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1, 6-8, 10-17 and 19 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,721,779 to Maffeis.

11. As to claim 1, Maffeis teaches a method for asynchronous brokering of messages between middleware computing systems, comprising: receiving a message for a sending middleware computing system into a middleware brokering server (col. 3, lines 5-22); and sending the message from the middle ware brokering server o at least one receiving middleware computing system (col. 3, lines 5-22).

12. As to claim 6, Maffeis teaches the method of claim 1 wherein the message is converted from a native language format of the sending middleware computing system to a structured event message format prior to being sent by the middleware brokering server (col. 3, lines 5-22).

13. As to claim 7, Maffeis teaches the method of claim 6, wherein the message is converted from the native language format by mapping a plurality of fields in the native format into corresponding fields in the structured event message format (col. 3, lines 5-22).

14. As to claim 8, Maffeis teaches a JMS system and the claimed formats are inherent to a JMS system.

15. Claims 10, 17, and 19 are rejected for the same reasons as claim 8.



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16. As to claim 11, Maffeis teaches the method of claim 1, wherein the message is converted from a structured event message format to a native language format of the receiving middleware computing system prior to being received by the receiving middleware computing system (col. 3, lines 5-22).

17. As to claim 14, Maffeis teaches the method of claim 11, wherein the message is converted from the structured event message format by mapping a plurality of fields in the structured event format into corresponding fields in the native language format (col. 3, lines 5-22).

18. As to claims 12 and 15 and 13 and 16, they feature the same limitations as claims 11 and 14 and are rejected for the same reasons as claims 11 and 14.

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over admissions by the applicant.

21. As to claim 1, the applicant admits that a method for asynchronous brokering of messages between middleware computing systems, comprising: receiving a message from a sending middleware computing system into a middleware brokering server; and sending the

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message from the middleware brokering server to at least one receiving middleware computer system was well known at the time of the applicant's invention in paragraph 4 of the specification.

22. As to claim 2, the applicant's disclosure states that mainframes, CORBA compliant systems, and JMS systems were well known middleware systems at the time of the applicant's invention.

23. As to claim 3, the applicant's background disclosure states that middleware brokers communicating using point to point messaging and publish and subscribe messaging were well known at the time of the applicant's invention.

24. As to claims 4 and 5, the applicant's background disclosure makes it apparent that a middleware system that can send messages can also receive messages and vice versa.

25. Claims 2-5, 8, 18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,721,779 to Maffeis.

26. As to claims 2-5, they are rejected as obvious for the reasons pointed out in the applicant's specification. It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Maffeis regarding a middleware system with the applicant's admissions because the applicant admits that such features are well known to any middleware system.

27. As to claims 8 and 18, Official Notice is taken that mainframe systems using COBOL copybook were well known at the time of the applicant's invention. It would have been obvious to one of ordinary skill in the Computer Networking art to provide the functionality taught by

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Maffeis with a mainframe system at the time of the invention because mainframes are prevalent in the computing environment.

28. As to claim 20, Maffeis teaches a publish and subscribe message comprising push-pull paradigm across at least one messaging channel (col. 5, lines 9-35).

29. As to claim 21, Maffeis teaches designating quality of service attributes when configuring a channel (col. 5, lines 9-35).

### ***Conclusion***

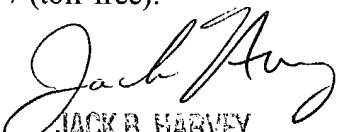
30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB

  
JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER